Calendar No. 1498

82D CONGRESS, 2d Session } SENATE { REPORT No. 1564

KIKO OSHIRO

UNIV. OF MICH.
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MAY 12, 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 6314]

The Committee on the Judiciary, to which was referred the bill (H. R. 6314) for the relief of Kiko Oshiro having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant a waiver of the racial barrier to admission into the United States in behalf of a minor Japanese child adopted by United States citizens. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill was born on Okinawa on March 3, 1948, of a Japanese mother and an American soldier father and is the adopted daughter of Master Sgt. and Mrs. Blevin L. Zeumalt who are citizens of the United States.

Congressman Homer Thornberry, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following information in connection with the bill:

AFFIDAVIT OF BELVIN L. ZEUMALT

JANUARY 24, 1952.

STATE OF CALIFORNIA,
County of San Bernardino, ss:

Personally appeared before me the undersigned authority for administering oaths under the Uniform Code of Military Justice, article 136, Master Sgt. Belvin L. Zeumalt, who after being duly sworn deposes and says:

I, Belvin L. Zeumalt, AF38553732, make the following statement to J. D. Connaghan, having been informed of my rights under the Uniform Code of Military Justice, article 31, in that I need not incriminate myself or answer any question the answer to which may tend to incriminate me; that I have been informed of the nature of the accusation or investigation that I need not say anything and anything I may say may be used as evidence against me in trial by court martial, and that I need not answer any question not material to the issue which may tend to degrade me, do voluntarily and of my own free will without having been subjected to force and not influenced by threats, promises, or hope of reward, say:

I, Belvin L. Zeumalt, first came in contact with Kiko Oshiro, renamed Beverly Zeumalt, on Okinawa in 1951 while serving with the Air Force. The father of the said child was also serving in the army of occupation. I had known him since 1943 and he told me he was facing a grave problem with a child of his that was born out of wedlock. The mother did not want the child and it was half-starved. He asked me if I still wanted a child, since my wife is not able to give birth to children. I was very interested. My wife and I visited the baby and her mother and we talked of adopting the girl. When the vice consul, Mr. Allen R. Turner, came to Okinawa on regular visit, my wife and I consulted him on adopting the infant. He made the necessary notification of adoption and also sent to me a copy of a bill that had previously been passed by Congress. I in turn sent a copy to Senator Johnson. The baby stayed in our home on Okinawa until I had to return to the United States on the rotation system. We got to know and love the baby as if it were our very own. I can't express in words how deep our love is for the child.

As to my income and occupation, I am a professional airman, a master sergeant in the United States Air Force, with an indefinite enlistment. My monthly salary is $358.70. I own my home at 2008 South Second Street, Austin, Tex., and I am a holder of a $5,000 policy with the Investors Diversified Services, Inc., which will be paid in full in 1956. I beg that the said child shall be held and considered to be the natural-born child of my wife and I, Belvin L. Zeumalt. The child will not at any time become a ward of this country.

BELVIN L. ZEUMALT.

Subscribed and sworn to before me this 26th day of January 1952.

JOHN D. CONNAGHAN,
First Lieutenant, AO710049 USAF, Summary Court Officer.

CERTIFICATE OF ADOPTION IN OKINAWA

OFFICE OF THE MAYOR OF NAHA CITY, OKINAWA SHIMA

I, Heisui Kadena, acting assistant mayor of Naha City, Okinawa Shima, do hereby certify that Kiko Oshiro, born at No. 21, 3-Han, Akahira-Ku, Shuri-Shi, Okinawa Shima, and now residing at the same address was adopted by Belvin Larue Zeumalt, a citizen of the United States, age 26, born at Austin, Tex., and now residing at Six Thousand Three Hundred and Second Base Service Squadron, APO 235, care of Postmaster, San Francisco, Calif., on this the 23d day of February 1951.

The parties signed in my presence the notification of adoption required by article 848 of the Civil Code, which was witnessed by Clyde P. Cowgill and Jose T. Paguntalan. The above-mentioned notification was filed and accepted by me, and the original of the same is in the archives of the Naha City Office, Naha City, Okinawa Shima.

In witness whereof, I have hereunto subscribed my name and affixed my seal at Naha City, Okinawa Shima, this 23d day of February 1951.

[SEAL] HEISUI KADENA,
Acting Assistant Mayor of Naha City, Okinawa Shima.

Witnesses:

CLYDE P. COWGILL.
JOSE T. PAGUNTALAN.

NOTIFICATION OF ADOPTION

To: The Mayor of Naha City, Okinawa Shima.
Adoptive parent: Belvin Larue Zeumalt.
Date and place of birth: October 19, 1924, Austin, Tex.
Legal address: 2008 South Second Street, Austin, Tex.
Present address: Six Thousand Three Hundred and Second Base Service Squadron, APO 235, c/o Postmaster, San Francisco, Calif.
Child to be adopted: Kiko Oshiro.
Date and place of birth: March 3, 1948, No. 21, 3-Han, Akahira-Ku, Shuri-Shi, Okinawa Shima.
Relationship to the head of house: First daughter.
Legal address: No. 21, 3-Han, Akahira-Ku, Shuri-Shi, Okinawa Shima.
Present address: No. 21, 3-Han, Akahira-Ku, Shuri-Shi, Okinawa Shima.

Witness our signatures this the 23d day of February 1951 at the office of the Okinawa Civil Administration Team, APO 719, Naha City, Okinawa Shima.

Signature of adoptive parent:

BELVIN L. ZEUMALT.

Signature of adopted child:

[Fingerprints.]

Witness:
Name: Clyde P. Cowgill.
Address: 616 North Rossmore Boulevard, Los Angeles, Calif.
Date of birth: Octover 31, 1887.

Witness:
Name: Jose T. Paguntalan.
Address: 31 Jalandoni Street, Iloilo City, Philippines.
Date of birth: September 23, 1928.

I, the undersigned, as head of the house, hereby consent to the foregoing adoption.

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CERTIFICATE OF ACCEPTANCE OF NOTIFICATION

This is to certify that the foregoing notification of adoption has been fieled and accepted by me this the 23d day of February 1951.

HEISUI KADENA,
Acting Assistant Mayor of Naha City, Okinawa Shima.

HEADQUARTERS RYUKYUS COMMAND,
OFFICE OF THE STAFF JUDGE ADVOCATE,
APO 331, March 28, 1951.

Staff Sgt. BELVIN ZEHMELT,
Six Thousand Three Hundred and Second Base Service Squadron,
APO 235.

Dear Sergeant ZEHMELT: The vice consul, Mr. Allen R. Turner, has asked me to hand you a copy of the enclosed bill for your information in connection with bringing into the United States a person of Okinawan or Japanese ancestry, adopted or intended to be adopted by you. It will be necessary that a bill of similar nature and import be introduced into the Congress of the United States and passed before application for entry into the United States of the adopted child may be considered.

Very truly yours,

WILLIAM W. WIPF,
Lieutenant Colonel, JAGO,
Acting Command Staff Judge Advocate.

HOLY CROSS CHURCH,
Austin, Tex., September 1, 1951.

Hon. HOMER THORNBERRY,
New House Office Building,
Washington, D. C.

DEAR MR. THORNBERRY: Members of my parish, Sgt. Belvin Zeumalt and his wife, Margaret, have recently returned from the Pacific theater where they had adopted a girl baby. To my understanding, this child is half American and half Okinawan. The child is now 3 years old.

Sergeant Zeumalt has been corresponding with Senator Lyndon Johnson and in the Senator's reply he states in part:

"It is customary for a private bill to be introduced in the House and generally speaking quicker action can be obtained by initiating action in the House."

The attached copy of Private Law 530 is on file in Senator Johnson's office.

Because I knew you personally while you were in Austin, Sergeant Zeumalt and his wife have asked me to contact you to see what speedy action can be given to bring this child into America. I know Sergeant Zeumalt and his wife. They are wonderful people, and I consider it a privilege to intercede with you in their behalf in this matter.

Yours sincerely,

Rev. EDWIN C. BAUER, C. S. C.

HEADQUARTERS ONE HUNDRED THIRTY-FIRST AIR BASE GROUP,
OFFICE OF THE CATHOLIC CHAPLAIN,
George AFB, Calif., January 26, 1952.

Hon. HOMER THORNBERRY,
Washington, D. C.

DEAR SIR: I am writing in reference to the bill which you are trying to inaugurate concerning the entrance of Master Sgt. Belvin L. Zeumalt's adopted daughter into the United States.

I have known the sergeant for the past 6 months. During this time I can truthfully say that he has conducted himself in a manner befitting a future father. His conduct among his fellow men has been irreproachable. He is held by his fellow enlisted men and his commanding officers in the highest esteem.

His family life is of a quiet and unassuming nature. Nevertheless, both he and his wife are active in civic and spiritual affairs. Their family life is lacking in the fact that God has not seen fit to bless them with children. I believe that the entrance of this child into their lives will fulfill a great need for them and provide a home for a homeless waif.

All the information which Master Sergeant Zeumalt is sending is authentic and to the best of my knowledge can be readily verified.

I appreciate all that you are doing to accelerate this cause. Both as a chaplain and as an officer in the United States Air Force, I know that you will not regret this step.

Respectfully yours,

SALVATORE J. PIAZZA,
Chaplain (First Lieutenant) USAF,
Assistant Wing Chaplain.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 6314) should be enacted.

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